



RCE/2828#  
RCE #14  
#14  
15/11/03

PATENT  
Attorney Docket No.: 041514-5106

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re U.S. Application of:

Shinichi TAKAHASHI et al.

Application No.: 09/770,673

Filed: January 29, 2001

For: OPTICAL PICKUP APPARATUS AND  
LASER DIODE CHIP

BOX RCE

Group Art Unit: 2828

Examiner: J. Menefee

Commissioner for Patents  
Washington, D.C. 20231

Sir:

**REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL**

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

1. Submission required under 37 C.F.R. § 1.114

- ☐ Previously submitted:
- ☐ Please consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on \_\_\_\_\_ (Any unentered amendment(s) referred to above will be entered).
  - ☐ Please consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_.
  - ☐ Other: \_\_\_\_\_
- ☒ Enclosed:
- ☐ Supplemental Reply
  - ☐ Affidavit(s)/Declaration(s)
  - ☐ Information Disclosure Statement
  - ☐ Form 1449
  - ☒ Other: Preliminary Amendment under 37 C.F.R. § 1.114

04/25/2003 YPOLITE1 00000023 500310 09770673

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## 2. Miscellaneous

☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed three-months; Fee under 37 C.F.R. § 1.17(i) required.)

☐ Other: \_\_\_\_\_.

## 3. Fees Calculation

(a) RCE Fee required under 37 C.F.R. § 1.17(e)

☒ \$750.00

☐ \$375.00 (for small entity)

(b) Extension of Time

☒ Applicants believe that no extension of time is required. A Notice of Appeal was filed on February 24, 2003 thus resetting the initial period for response to extend through April 24, 2003. However, this conditional petition is being made to provide for the possibility that Applicants have inadvertently overlooked the need for a petition and fee for extension of time.

☐ Applicants petition for an extension of time, the fees for which are set out in 37 C.F.R. § 1.17(a), for the total number of months checked below.

Total Months Requested	Fee for Extension	Fee for Small Entity
<input type="checkbox"/> one month	\$ 110.00	\$ 55.00
<input type="checkbox"/> two months	\$ 410.00	\$205.00
<input type="checkbox"/> three months	\$ 930.00	\$465.00
<input type="checkbox"/> four months	\$1,450.00	\$725.00

The extension of time fee for this request: \$\_\_\_\_\_.

If an additional extension of time is required, please consider this a Petition therefor.

## 4. Additional papers enclosed:

☒ Submission of Formal Drawings (with 6 sheets containing 10 figures)

5. Fee Payment


- ☐ Enclosed is a check in the amount of \$\_\_\_\_\_.
- ☒ The Commissioner is hereby authorized to charge the Deposit Account No. 50-0310 in the amount of **\$750.00** for the RCE filing fee.
- ☒ EXCEPT for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a CONSTRUCTIVE PETITION FOR EXTENSION OF TIME in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully submitted,

**MORGAN LEWIS & BOCKIUS LLP**

Dated: April 24, 2003

By:

  
Paul A. Fournier  
Reg. No. 41,023

**Customer No. 009629**  
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**PRELIMINARY AMENDMENT FILED WITH RCE UNDER 37 C.F.R. § 1.114**

In response to the Final Office Action dated September 23, 2002 (Paper No. 8), and further to the Notice of Appeal filed on February 24, 2003, the period for response to which extends through April 24, 2003, and concurrently filed herein with a Request for Continued Examination and prior to continued examination, please amend the above-identified application as follows:

**IN THE CLAIMS:**

Please amend claims 1 and 4 as follows:

RECEIVED  
APR 29 2003  
TECHNOLOGY CENTER 2800

1. (Twice Amended) A laser diode chip for an optical pickup apparatus in which a plurality of light emitting portions are formed on a substrate for emitting laser beams to be irradiated to a recording medium in a same emitting direction, each of said plurality of light emitting portions is provided for reading information recorded on a recording medium and the